

Application Number 10/539188  
Response to the Office Action dated May 12, 2009

**REMARKS**

Favorable reconsideration of this application is requested in view of the following remarks.

Claim 1 has been amended. The exclusion of heavy peroxide from the deuterated solvent is supported by the discussion of its disadvantages in the paragraph beginning on page 2, line 9 of the specification, coupled with the disclosure of an extensive list of potential solvents other than heavy peroxide beginning on page 9, and the specific examples that do not use heavy peroxide. Claims 1-3 and 5-13 are pending. Applicants note with appreciation the allowance of claims 11 and 12.

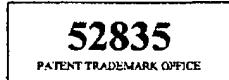
Claims 1-3, 5-10 and 13 have been rejected as obvious over Dingwen in view of US 4,874,890 to Kato. Applicants respectfully traverse this rejection. Initially, Applicants note that page 4 of the Office Action cites page 476 of Kato for support. Applicants believe that this is an incorrect citation, as Kato does not have 476 pages, and request clarification of either the identity of the reference or the portion of Kato that is considered relevant.

Dingwen discloses a deuteration process in the presence of D<sub>2</sub>O, alkaline metal deuterioxide (NaOD), a reduced Adams catalyst (PtO<sub>2</sub>.H<sub>2</sub>O), and D<sub>2</sub>O<sub>2</sub> (see coln. 2, lines 4-19 and tables 1-3). Due to the presence of alkaline metal deuterioxide such as NaOD, the deuteration reaction of Dingwen is carried out under a basic condition. In contrast, claim 1 requires a neutral condition of the deuteration. In addition, claim 1 precludes the use of D<sub>2</sub>O<sub>2</sub>, while Dingwen specifically requires its presence. Page 4 of the Office Action refers to Kato as disclosing the use of D<sub>2</sub> gas as a source of deuterium. However, since claim 1 does not require the use of D<sub>2</sub> gas, this point is irrelevant for claim 1. Applicants respectfully contend that the rejection reflects a misinterpretation of claim 1 and the prior art. Therefore, the rejection should be withdrawn.

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In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.

Respectfully submitted,



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Dated: August 12, 2009

By:

A handwritten signature of Douglas P. Mueller.  
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DPM/mz